

## **DETAILED ACTION**

1. The Applicants' amendment filed April 7, 2010 is acknowledged.  
  
Claims 2-4, 7-10 and 12-13 are deleted. Claim 1 is amended. Now, Claims 1, 5-6, 11 and 14-16 are pending.
  
2. Claim rejection(s) under 35 USC 112 in the previous Office Action (Paper No. 20100102) is/are removed.
  
3. Claim rejection(s) under 35 USC 103 in the previous Office Action (Paper No. 20100102) is/are removed.

### ***Allowable Subject Matter***

4. Claims 1, 5-6, 11 and 14-16 are allowed.
  
5. The following is an examiner's statement of reasons for allowance:  
  
The present claims are allowable for at least the following reason(s) over the closest references: JP472 (JP 63-101472) in view of Ohmori (US 5 021 501).

JP472 discloses a surface treatment agent for **fabrics** made of synthetic or natural fibers comprising 1) a fluorine-containing water/oil repellent and 2) a polysiloxane. (page 2, upper right column to lower right column and page 3, lower right column)

Ohmori teaches the use of, in composition A), a fluoropolyacrylate prepared from a monomer mixture containing an  **$\alpha$ -substituted** fluoroacrylate represented by formula (1) in a **water/oil repellent** composition (Composition B) for treating **carpet, fabrics (textiles)** such as skirts, curtains, etc. (col. 1, lines 29-50, col. 2, line 25 to col. 3, line 13 and col. 7, lines 24-44). Additional monomer such as  $\text{CH}_2=\text{C}(\text{CH}_3)\text{COO}-\text{CH}_2\text{CH}_2\text{CH}_2\text{Si}(\text{OCH}_3)_3$  can be included in the monomer mixture. (col. 3, lines 6-19) The amounts of these two components are described in col. 3, lines 33-38. Ohmori further teaches the use of , in composition B, a fluoropolyacrylate prepared from a monomer mixture containing i) an  **$\alpha$ -substituted** fluoroacrylate containing **trimethylsilyl** or **trimethylsilylpropyl** group represented by formula (3), ii) an  **$\alpha$ -substituted** fluoroacrylate represented by formula (4), and iii) an monomer free of fluorine and silicone such as ethylene, propylene, acrylates, methacrylates, in a water/oil repellent composition for treating **carpet,**

**fabrics (textiles)** such as skirts, curtains, etc. The amounts of the components are also illustrated. (col. 1, line 51 to col. 2, line 18, col. 3, lines 1-19, col. 3, line 57 to col. 5, line 50 and col. 7, lines 24-44)

Although JP472 generically discloses a vinyl-containing siloxane (page 3, upper left column), none of JP472 and Ohmori, taken alone or in combination, teaches or fairly suggests the presently claimed silicon-containing monomer represented by formula (II) having a moiety of  $R^{11}-(Si(R^{12})_2-O)_p-X-$  where p is 1 to 100. **Notably, there must be an oxygen atom between Si and X or between Si and -C(R<sup>1</sup>)=CH<sub>2</sub>, if X is a direct bond.**

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuo-Liang Peng whose telephone number is (571) 272-1091. The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Seidleck, can be reached on (571) 272-1078. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

klp  
April 16, 2010

/Kuo-Liang Peng/  
Primary Examiner, Art Unit 1796